

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5238 of 1982

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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D.S. SHUKLA

Versus

STATE OF GUJARAT

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Appearance:

None present for the Petitioner

MR NN PANDYA for Respondent No. 1 & 2

MS MEGHA JANI for Respondent No. 3

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 02/07/96

ORAL JUDGMENT

Heard learned counsel for the respondents and perused the file. The promotion of the petitioner to the post of Head Clerk was challenged by respondent No.3 by filing an appeal before the Gujarat Civil Services Tribunal. The appeal was allowed. It is ordered that in the cadre of Senior Clerk, the respondent No.3 be

considered senior to the petitioner and accordingly consequential benefits be given. This Court has passed an order maintaining status-quo by way of interim relief. The counsel for respondent had made a statement before this Court that the petitioner has already been promoted to the next higher post of Assistant Director, whereas the respondent No.3 is still continued on the lower post and as such, this writ petition has become infructuous. Order accordingly. The writ petition is dismissed as having become infructuous. Rule is discharged. Ad-interim relief granted by this Court stands vacated.

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(sunil)